

REMARKS

1. Applicant has previously elected to prosecute claims 115-121, 232-237 and 243-254 in this application. Applicant is including these claims in this application in slightly amended form.

Applicant has also made changes to claims 145-150, 159-183, 187-191 and 226-242. Applicant is including these claims in this amendment and makes the changes in these claims of record. Applicant will cancel these claims in an amendment which applicant will be filing in the USPTO in the next few days.

In order for different prior art references to be combined to reject a claim, the references have to disclose or suggest the combination recited in the claim. *ACS Hospitality Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 221 USPQ 929 (Fed. Cir. 1984). As the Federal Circuit indicated in the *ACS* case at 732 F2d. 1572, 1577, 221 USPQ 929, 933:

“Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. Under Section 103, teaching of references can be combined only if there is some suggestion or incentive to do so.”

See also *In re Fine*, 837 F.2d 1071, 5 USPQ 2d. 1596, (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ 2d. 1941 (Fed. Cir. 1992) in support of the holding in the *ACS* case.

None of the references cited by the Examiner to reject the claims in this application discloses or suggests certain of the features recited in the claims. These features are specified in previous amendments for each of the claims in the application. This has been discussed above in some detail. The references cannot accordingly be combined to reject the claims.

Reconsideration and allowance of the application are respectfully requested.

Respectfully submitted,

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